

COUNSEL PLAYS HUNT

Fulton Says Minister Broke Up Bassett Home.

CASE IS NOT YET CLOSED

Precher's Attorney Attacks Truthfulness of Statements Made by Colored Witnesses, Who Told of Trips to Baltimore, When Defendant Went with Co-respondent.

Henry E. Davis, attorney for Rev. E. Lawrence Hunt, who is named as co-respondent in the suit for absolute divorce against his wife by Charles C. Bassett, concluded his argument on behalf of his client before Justice Gould yesterday.

He opened his argument to the court with an attack upon the truthfulness of the statements made by servants in the Morse and McCracken boardinghouses in Baltimore, and made similar comments on the evidence offered by other colored witnesses in Baltimore.

Concerning the statements of Benjamin Fairchild, former Representative in Congress, from New York, which was placed in evidence in rebuttal to the testimony of Mrs. Bassett, Mr. Davis said "he did not care to waste much time with Mr. Fairchild's statements."

"I do not care to waste time with his statements when he goes on record with categorical denial of the truth of everything offered in Mr. Bassett's deposition. Is it comprehensible that a woman of Mrs. Bassett's intelligence could or would invent such an amazing series of occurrences if there were no basis in fact?"

Denies Evidence Was Asked For.

Mr. Davis treated the assertion that Mrs. Bassett and Mr. Hunt had paid negro servants to keep silent as far as their knowledge of their relations were concerned with contempt and ridicule.

Speaking of the charges against Mrs. Bassett and Mr. Hunt while at Atlantic City, Mr. Davis argued that absolutely nothing had been proved to substantiate these charges. Reading the much-quoted passage from Hunt's letter to Mr. Stone, Mrs. Bassett's friend, in which Mr. Hunt complains Mrs. Bassett with "the purest, cleanest, gold on earth and heaven, which has been refined by fire, where poorer stuff would only leave ashes," Mr. Davis said that "this is either the product of a pure, clean mind, or it is the veriest rot."

Creed M. Fulton, counsel for Bassett, after the noon-day recess, at once began his argument. He at once launched forth into a scathing arraignment of Hunt, whom he called "that wolf in sheep clothing."

Says Hunt Broke Up Home.

"At the very time," said Mr. Fulton, "when Hunt should have been discharging his duties as pastor, and should have endeavored to settle the differences between Bassett and his wife, Hunt entered their home, while Mr. Bassett was out of the city, broke up the home, and took the wife and mother away."

"If this priest of God is not guilty of this thing, why does he not come before this court and testify in behalf of the woman whom he says he loves and proposes to make his wife?"

"Is it the duty of a pastor to take a wife and mother from her home, travel about the country with her, and conceal her whereabouts from her husband?" "Mrs. Bassett claims that Hunt always acted the perfect gentleman towards her; that she never went out in Washington with him, and that Hunt never asked her to go out with him. Your honor, this is disproved by the testimony of the clerk at the Hotel Varnum, who has testified that while Mrs. Bassett was a guest at the hotel, he saw them go out together on numerous occasions and did not see them return."

Says Evidence Was Good.

"Counsel for the other side would have us believe that the evidence of all of the colored witnesses in the case should be disregarded simply because of inconsistencies so slight, as discrepancies in time, in the location of doors and other little, insignificant and inconsequential circumstances."

Mrs. Bassett's actions with Mr. Hunt immediately after Mr. Bassett's departure from the city and right after Mrs. Bassett had promised her husband she would respect his desires about seeing Hunt no more, were held up to scornful comment by Mr. Fulton.

The case will be continued to-day.

SONS OF REVOLUTION MEET.

Fred W. Hudekoper Is Elected President of Organization.

Sons of the Revolution met in annual session last night at the New Willard Hotel, when current business was transacted and an election of officers held. Reports were submitted by the chairman of the various committees and approved by the meeting. A vote was registered expressing the great loss in the death of Lewis Johnson Davis, a member and former president of the society. A resolution was passed by the meeting providing for the construction of a tablet to the memory of Dr. John Morgan, physician-in-chief and director general of the hospitals of the United States from 1774 to 1778, and providing for a committee to call upon the Secretary of War and have him designate a place for the erection of the tablet.

The following officers were elected to serve during the coming year: President, Fred W. Hudekoper; vice president, James M. Morgan; secretary, Dr. Marcus Benjamin; treasurer, Ralph B. Wilson; registrar, Alfred B. Horner; chaplain, Rev. Randolph H. McKim, D. D. A board of directors was elected as follows: William Stone Albert, Dr. E. Oliver Belt, Thomas Bladgen, Lewis P. Clephane, Irving H. Dunlop, David Rittenhouse, William Kearney Carr, Dr. Charles Ford Langworthy, and John Kelm Stauffer. Announcement was made of the deaths of Messrs. William Williams Metcalf, on July 4; Lewis Johnson Davis, on September 6; and Thomas Kittera Wallace, on September 15, 1906.

LOUD CALL FOR BEVERIDGE.

The Whole of Nebraska Joins in Invitation Urging Him to Come.

During the campaign Senator Beveridge spoke at Lincoln, Neb., and received a cordial invitation to return and address the State Teachers' Association after Christmas. He accepted conditionally, but a day or two ago, finding his Senatorial duties would be pressing, sought to cancel the engagement. Last night he received this message:

Lincoln, Neb., Dec. 4, 1906. Senator Albert J. Beveridge, Washington, D. C.: Ten thousand teachers and over one million citizens of Nebraska will be sorely disappointed if you fail to be present at the State Teachers' Association here December 28. If within human possibility come. John H. Mickey, governor; A. Galusha, secretary of State; Peter Mortenson, treasurer; Norris Brown, attorney general; Edward M. Seale, auditor; H. M. Eaton, land commissioner; J. L. McFadden, superintendent.

In view of this remarkable invitation, it is reasonably certain that the Senator will make it possible to be there.

MAKES CHIEFS GO TO SCHOOL.

Commissioner Leupp Punishes Two Who Fell Out Over Education.

The Hopi Indians around Oraibi, Ariz., have just been given a glimpse from a new angle of the stern paternal hand of the government at Washington.

The object lesson consists of two middle-aged chiefs or headmen of the tribe, and their respective wives and children bundled off to school, partly for education and partly for discipline.

The victims of this enlightened policy of the government are Chief Tawakpawewa and Head Man Sewenintewa. They had been at enmity for some time, the greatest point of difference between them being the absorbing question as to which of the two is the better friend of education. When the argument reached the six-shooter stage, Indian Commissioner Leupp stepped in and ordered both chiefs, together with their respective families, sent to the Riverside Indian School, in California, where they may furnish the government with a substantial demonstration of their devotion to the cause of education.

It is not known how long the chiefs will have to do penance, but from the rate of progress that they are making, they will be at Riverside a long time, if, as it is reported, Commissioner Leupp has sentenced them to remain there until they learn how the spell their names without looking on the book.

OLNEY VISITS ROOSEVELT.

Ex-Secretary of State One of the Callers at White House.

The Cabinet meeting was interrupted yesterday by a visit by ex-Secretary of State Richard Olney, Judge George Gray, of Delaware, and Gen. Williams, superintendent of the National Soldiers' Home. The President left the Cabinet room for a few minutes to greet his visitors, who had forgotten that Tuesday was Cabinet day.

There was an unusual number of official callers at the White House. The President talked at different times with all the members of the administration who have been most closely associated with him in the work of the last year or two, including Commissioner of Corporations Garfield, Gifford Pinchot, the chief forester, Assistant Secretary Murray, of the Department of Commerce and Labor, Commissioner Nell, of the Bureau of Labor, and several others.

LANGLEY OUT FOR HARLAN

Kentucky Leader Supports Justice for Governor.

Representative-elect Declares Jurist Is Undoubtedly the Choice of Republicans of His State.

Representative-elect John W. Langley, of the Tenth Kentucky district, last night gave the gubernatorial boom of Associate Justice John M. Harlan, of the United States Supreme Court, increased impetus by coming out flat-footed for Justice Harlan.

Mr. Langley, by virtue of his election to the next Congress, is recognized as one of the most influential factors in Kentucky Republican politics. He carried a district heretofore Democratic, and is one of the best posted men in the politics of the State. He has until now declined to commit himself on the gubernatorial race.

"I do not know," said Mr. Langley last night, "what Justice Harlan will do. I do know this, however. He is the unheralded choice of the Republicans of Kentucky, and if he is nominated he will sweep the State. I am not disparaging the candidacy of any other man who has been mentioned for governor of Kentucky when I make this statement, but there is practically but one opinion in the State; that is, that Justice Harlan would make an extraordinarily strong candidate, and would be elected by a substantial majority."

"Justice Harlan," continued Mr. Langley, "has reflected great credit upon the State by his services on the bench. He is recognized as the highest type of man and he would bring to his support thousands of Democrats and hold in line every Republican vote. I have no hesitancy in saying that I am in favor of the nomination of Justice Harlan."

"No," that is incorrect, Justice Harlan is seventy-three years young."

Mr. Langley adopted a conference with Justice Harlan yesterday.

POOR FOODS IN STORAGE.

Better Inspection of Refrigerating Plants Demanded.

Resolutions calling for an investigation of the methods of inspection of the cold storage plants of the city were passed at a meeting of the Columbia Heights Citizens' Association last night. Following the adoption of a resolution offered by President Charles Bundy, advocating the extension of the suburban electric lines to the farming sections of Virginia and Maryland, the association adjourned. It may be better supplied with fresh meat and vegetables.

A. E. Dowell suggested that the sanitary committee be authorized to investigate the methods of inspection of cold storage plants and report to the association. He is of the opinion, he said, that it can be shown that there are tons of food stuffs in cold storage that are unfit for consumption.

The Center Market plant will be the first to receive the attention of the committee.

A resolution offered by E. Hilton Jackson, authorizing the appointment of a committee to confer with Senator Scott, of the Senate Committee on the District of Columbia, with regard to the establishment of a park at Fourteenth street and Columbia road, was passed.

President Bundy offered a resolution of regret at the death of a member of the association, Gen. John S. McCalmont, which was adopted.

A resolution amending the constitution so as to extend the scope of the questions discussed by the associations, as well as its territory, was offered by Charles Simons, and laid on the table until the next meeting, which will be held Tuesday, January 8.

The following new members were elected last night: E. H. Snyder, F. L. Devereux, M. K. Keane, Dr. D. T. Birtwell, B. F. Saul, and F. W. Carden.

Japs Vacate Chinese Town.

The foreign office in Peking has informed Mr. Rockhill, the American Minister there, that in accordance with the first article of the treaty of December 1905, between Japan and China, the Japanese troops have been withdrawn from Hsin-min-fu, and that place has been opened to international trade.

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RACE ISSUE POSSIBLE

Oklahoma's State Constitution May Bring It Up.

INCLUDE 'JIM CROW' FEATURES

Contended by Some Authorities that If These Provisions Are Objectionable to President, He May Refuse to Issue Proclamation, and Congress May Institute Inquiry.

Oklahoma's admission as a State, under the Constitution, which now seems assured, will, in the opinion of some members of Congress who have kept themselves informed, precipitate the race question as an issue in American politics.

It is certain that the Oklahoma Constitution will incorporate as a part of the organic law of the Commonwealth, much legislation that the Southern States have accomplished through the enactments of their legislatures. The Democrats swept everything before them in the election for delegates to the State constitutional convention, and in both Oklahoma and Indian Territory the Democratic candidates announced their intention of supporting such articles in the constitution of the new State as guaranteed separate schools for the two races, separate waiting-rooms at railroad stations, and separate coaches for railroad trains. In general, the Democratic campaign was for a white man's State, and on this issue thousands of Republicans supported the Democratic candidates.

The enabling act for Oklahoma makes it the duty of the President, within twenty days after the certificate of the result of the election for the purpose of ratifying the constitution is received, to announce the result by proclamation. "And thereupon," the act says, "the proposed State of Oklahoma shall be deemed admitted by Congress into the Union under and by virtue of the act on an equal footing with the original States."

This language of the enabling act, in the opinion of some members of Congress, would compel the President to issue his proclamation. Others contend that if the constitution of the proposed State violated the provisions of the Federal Constitution intended to establish equality of the races before the law, it would be in the province of the Executive to refuse to issue his proclamation, or of Congress to make inquiry.

"Missouri was kept out of the Union for fifteen months," said Representative Champ Clark, of that state, yesterday, "because its constitution was not acceptable to Congress. The State officers had been elected and two United States Senators had been chosen for more than a year before the State was finally admitted."

The constitution adopted prohibited free negroes and mulattoes from settling in the State. The election was held in August, 1906. When the constitution was reported to Congress the abolitionists broke forth and the slaves to make inquiry. "The constitution of the proposed State was more dominant in the discussion of the admission of the State. Finally, Henry Clay perpetrated the most farcical legislation proposition ever discussed in the American Congress. It was an effort to solve the middle. It was a bill to amend the Federal Constitution to give the negroes the same rights as the white people, provided the legislature should, by solemn ordinance, declare it would not enforce the provisions of its constitution in regard to the admission of free negroes."

Democrats say that if the race question is made an issue their party will profit by it. Republicans, as a rule, do not wish to see the matter brought up. It is the reason why such measures as the bills of Representatives Keifer, Crumacker, and others, providing for the reduction of the representatives in Congress of those States which have disfranchised the negro, have been kept in the back ground by the leaders.

COLONIAL OFFICERS NAMED.

Dr. Marcus Benjamin Made Governor of Patriotic Society.

At the annual meeting of the Society of Colonial Wars, last night, the names of the candidates for the year ending during the ensuing year were submitted by the secretary, Walter C. Clephane, and elected unanimously. They were the following: Governor, Dr. Marcus Benjamin; deputy governor, William Van Zandt Cox; lieutenant governor, Judge John Barnard; secretary, Lewis Palmer; chaplain, Rev. Roland Cotton Smith; chaplain, Rev. Roland Cotton Smith; surgeon, Dr. James Bayard Gregg; custodian, Dr. James Bayard Gregg.

The following were named as gentlemen of the council, for the term expiring December, 1909: Gen. Walter Wyman, Col. William Baker Thompson, delegates to the general assembly, Gen. Walter Wyman, Gen. William Baker Thompson, Thomas Hyde, Dr. James Miller, and Dr. Marcus Benjamin. Committee on membership, Dr. Albert Peale, chairman; Robert Connel, Robert Arce, Dr. Charles Ford Langworthy, and Dr. Charles Ford Langworthy. Committee of historical documents, Maj. Gilbert Thompson, chairman; Allen Rich and Boyd, James Brainerd Taylor, Tupper, Henry Peter Renouf Holt, and Dr. Frank A. Stewart.

The following new members were admitted: William Goodyear Johnson, Joseph Burr Johnson, Frederick E. Johnson, and L. A. Coolidge.

RAISE MEMORIAL FUND.

United Daughters of the Confederacy Start Their Bazaar.

A bazaar, which is to continue during three days, was opened last night in the Confederate Veteran Hall, 410 H street northwest, under the auspices of the Stonewall Jackson Chapter, No. 20, United Daughters of the Confederacy. The hall was decorated throughout with Confederate flags and Christmas colors. Various booths are in evidence, running from Lee Green to the main entrance, to those which are offered to those in charge of the bazaar. A pretty Japanese tea garden is in charge of younger women of the organization. Secrets of the past and mysteries of the future are exposed by a palmist, who operates behind closed doors.

The object of the bazaar is to raise funds toward the erection of a monument over the Confederate dead at Arlington Cemetery. Stonewall Jackson Chapter is anxious to do its part in this memorial work, in which all Confederate organizations are interested.

Traction Line Must Pay for Horse.

The Washington Railway and Electric Company will be asked to reimburse the District to the amount of \$27.50, the value of the horse and harness injured by a collision with a car at Ninth and L streets, Chief W. T. Bates yesterday reported to the Commissioners that the car dented in front of Truck D, which was hurrying to a fire, the trailer of the car striking one of the horses and knocking him against the front of the truck, necessitating killing the animal.

GILLETTE GUILTY; JURY OUT 5 HOURS

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with all possible show of pleasure at having been released from the hot, close courtroom, and walked briskly out.

Before they started to discuss the verdict or had chosen their foreman, a supper was brought in to them, and they ate it without letting a discussion of the case interfere with their appetites. When the judge had finished his charge the doors of the courtroom were locked to keep the crowd from moving until the jurors and prisoner had been safely disposed of.

For more than six hours to-day Gillette had sat apparently unmoved to one of the worst word-lashings which the defendant in a criminal case has ever received. The district attorney did not spare any terms to describe his opinion of the young man whom he said had seized "a fair flower from the hills and plucked the petals one by one and ground them under his feet."

Mr. Ward called him a "rat" and "a slinking wolf," and told of the sinuous coils which he had twisted around the girl. Often as he spoke he would walk about the courtroom and shake his finger almost in the prisoner's face. Gillette sat crouched down in his chair in his usual position, and when the prosecutor stood over him, he looked up at him through his teeth, and when the judge spoke of expression which might be construed to be defiance, or anything else which a person might imagine except fear. The defendant, who had spent the night before in the jail, was not at all nervous. He was awakened from a sound sleep by the morning, was not afraid, or at least he showed no signs of fear.

When he had come over from the jail to the courtroom, where the afternoon session, he had met a messenger boy on the way.

"Hey, kid," he said, slipping him a quarter, "get me a couple of magazines and bring them over to me later in the afternoon." This was when he was on the way to see the case given to a jury which might condemn him to death or life imprisonment.

Mother Gets the News.

Denver, Colo., Dec. 4.—Mr. and Mrs. Frank Gillette, of Denver, parents of the defendant, received news of the verdict through a correspondent in a newspaper office where they had waited from the time the jury retired. Both wept pitifully.

"I can't believe it's true," sobbed the kindly old mother.

Mr. and Mrs. Frank Gillette, for many years were officers and leaders in Salvation Army work in the United States and in the Sandwich Islands.

SOLDIERS CANNOT AVOID DEBT.

Gen. Bell Says Pay Is Too Small to Meet Conditions.

The necessity of increasing the pay of the army is pointed out to the Secretary of War in the annual report of the Chief of Staff of the Army, Brig. Gen. J. Franklin Bell, who says that the salaries of the officers do not meet ordinary expenses, except by great economy, or unless the officer has private funds.

Bills were presented to Congress at the last session offering remedies, but no law was enacted.

Gen. Barry also thinks that \$12 a month to the private is too little.

One of the greatest hardships on officers of the army was brought about by the passage of the railroad-rate bill by Congress at the last session. Certain provisions of the bill prevent the railroad from giving half fares to the families of officers, and the same concession to officers themselves, and to enlisted men when traveling on leave of absence.

It is recommended that the rate bill be amended so that the railroad companies may make such concessions. Another suggestion regarding the pay of officers is that the military attaches of embassies be given additional allowances.

The strength of the army on October 15 is shown by the report to have been 67,533 officers and men. There were 3,350 officers and 64,485 men.

DISTRICT CANT GET PENALTY.

Court Awards Damages to Shipbuilding Company.

A jury in Judge Wright's court yesterday returned a verdict in favor of the shipbuilding firm of Harlan & Hollingsworth, of Wilmington, Del., against the District of Columbia, for the sum of \$230.

Some time ago the District authorities contracted with the Wilmington concern for the construction of the fireboat Firefighter for \$47,735, providing the boat be finished and delivered to the city within 112 days.

It was further stipulated that the company would have to pay \$25 penalty for every day more than 112 days. It is understood that calculating on this basis a penalty of \$3,900 was accumulated, which the District authorities withheld from the Wilmington firm for the recovery of which suit was brought.

BARRINGTON WITHOUT FUNDS.

"Lord" Wants Cost of Appeal Remitted by Court.

Application was made to the Supreme Court yesterday by counsel for Frederick Seymour Barrington, alias "Lord" Barrington, who was convicted at St. Louis of murdering Mr. Cann, a well-known turfman of that city two years ago, for permission to prosecute his appeal without the payment of the usual court fees. Discretion for this purpose is lodged with the court.

Barrington represents that he has been without funds since his arrest; that he has no relatives able to bear the expense, and that but for the friendly aid of strangers he would have been unable to procure the transcript of record of the Missouri Supreme Court, which affirmed his sentence of death. The court took the matter under advisement.

CANNOT CONTROL CARS.

Interstate Commerce Commission Unable to Prevent Shortage.

In a letter addressed to Senator Henry C. Hansbrough, of North Dakota, to-day, the Interstate Commerce Commission has stated that it is unable to prevent a shortage of cars throughout the country. Chairman Knapp, speaking yesterday for the Interstate Commerce Commission, said that body "can exercise no power to compel interstate carriers to furnish adequate equipment, nor are we prepared at this time to recommend specific legislation upon the subject."

These statements were brought out by a complaint written to the commission by Senator Hansbrough of the shortage of car supplies on railroads traversing the Northwestern States.

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PRESIDENT ANGRERS COAST LAWMAKERS

CONTINUED FROM FIRST PAGE.

he said concerning the anti-Japanese feeling on the Pacific Coast he has not struck a popular chord.

Although it is generally admitted that the National Japanese Association's statement above, is a clear and explicit warning that he will use the armed forces of the government to compel States and municipalities to respect the rights guaranteed by treaty to foreign subjects residing within their borders, conservative men in Congress were unwilling to believe that he would go to that extreme without the express authorization of the Legislature. A marked reticence was manifested by Republican Congressmen to permit their views to be quoted, while many members of that party were unwilling to go to the extent of expressing themselves at all. There was enough said, however, to show that the President's suggestion that Japanese in California would be safeguarded in their treaty rights by the use of regular troops does not meet with favor. Some of the local advance of the President's statement, but were unwilling to pass judgment upon it until they were more fully informed, called attention to the use of the word "lawfully," where the President refers to the right of the troops, as indicating an endorsement of the part to abstain from any radical action until Congress had given him authority to take it. It must be confessed, however, that even with this qualifying term for their minds, the President's friends shook their heads disapprovingly when the matter was mentioned to them.

President Misinformed.

They declare that they are at a loss to understand where the President received his information as to the condition concerning the treatment of Japanese in their State. Their understanding is that he did not get it from Victor L. Metcalf, chief of the Japanese Consulate in San Francisco, and he did not see the President again until after Mr. Roosevelt had returned from Panama.

The California Congressmen will have meeting this week to discuss the situation presented by the President's recommendations and declarations. They will wait, as one member expressed it, until some of them cool off. They are afraid that meeting would result in an explosion which might result in the international situation.

"The President has set up a man of straw," declared Representative Needham, one of the California Congressmen, "and then proceeded to knock him down. From an ethical standpoint, what he says sounds very nice, but he has failed to appreciate conditions as they exist. So far as the use of the military forces of the country are concerned, I do not think that he can coerce the sovereign State of California, if the State has acted within her rights, as we firmly believe she has. It seems to me that the President is especially unfortunate in the use of the language which he employs. He has allowed his feelings and high regard for the Japanese as a nation to run away with him. In my opinion, there will never be any decision which will hold that this government has violated any treaty which this government has entered into with Japan. As to citizens of the Japanese, we are all under a very serious obligation to that matter is a long time off. We need legislation to restrict the right of citizenship, rather than to increase it. There is no sentiment anywhere to increase the number of races which should be admitted to citizenship. It is now generally held that the extension of citizenship to the negroes after the civil war was a mistake, and I do not believe it would be done now. The President ignores the race question; he does not pretend to discuss it."

It does not think that part of the message relating to the Japanese will be well received in California," said Representative Knowland, "and it is a very fortunate thing for our delegation that this message became public after the treaty rights of the Japanese were known. The President's sentiments, we could not have appealed for support of the President, and the State of California would have had a very meager Republican representation in the next Congress. There has been no exclusion of the Japanese from schools in San Francisco; that is erroneous. We have simply segregated them, and have denied them no rights guaranteed them by the treaty with Japan. It is unfortunate that the President has not a better understanding of the situation as it exists in California."

Mr. Hayes, who represents, in part, the city of San Francisco, said:

"If San Francisco or the State of California had violated any treaty which the Federal government made with Japan under the Constitution, then the President would be justified in using the military forces at his command to enforce treaty rights; no we have violated no treaty rights. The treaty in question does not give the Japanese the right to be educated in the same schools with the white children. This right is not given to some of our own citizens, for the Southern States have been upheld in their segregation of the white and colored children. Japan has no right, under treaty or otherwise, to regulate our school system, and I contend that any treaty which would give her that right would be unconstitutional."

Senator Perkins said: "I agree with the sentiment in the abstract expressed by the President just as any patriotic citizen would, but I do not agree with him

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\$300 Upright, handsome case